

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

**JUAN CARLOS DE LA PENA AND
ALMA DE LA PENA,**

Plaintiffs,

V.

STATE FARM LLOYDS AND JESSICA RIVERA,

Defendants.

§§ 87(2)(b), 87(4-b), 87(4-g), 87(4-h)

CIVIL ACTION NO.: 3:16-cv-02597-B

ORDER

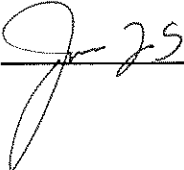
ON THIS DAY, the Court considered the Joint Motion for Entry of Order on Settlement Allocation Dispute (the “Joint Motion”) filed herein by Plaintiffs Juan Carlos de la Pena and Alma de la Pena (“Plaintiffs”) and Defendants State Farm Lloyds and Jessica Rivera (“Defendants”). Upon considering the Joint Motion, the Court finds that the relief sought therein is well-founded. Therefore, the Court ORDERS as follows:

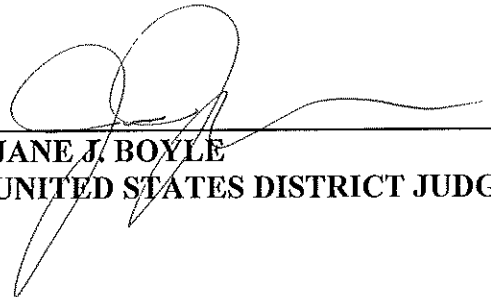
- Plaintiffs shall provide to their mortgagee, JES JOMEL LLC, written notice of this lawsuit and the parties' dispute as to the settlement allocation by sending to its registered agent, John M. D'Silva, 3330 N. Galloway 304-68, Mesquite, Texas 75150—via first class U.S. mail and via certified mail return receipt requested, Federal Express, or some other form of delivery that is tracked to ensure receipt by the addressee—a copy of the Joint Motion and this Order.
- Plaintiffs shall provide to Defendants the tracking information for the aforementioned written notice.
- JES JOMEL LLC shall be allowed a period of thirty (30) days from the date on which it receives or refuses service of Plaintiffs' written notice to appear and object to Plaintiffs' proposed allocation of the settlement proceeds, if it wishes to do so. The thirty (30) day objection period will not begin to run until JES JOMEL LLC receives or refuses service of Plaintiffs' written notice.
- If JES JOMEL LLC does not object to Plaintiffs' proposed allocation of the settlement proceeds within the allowed thirty (30) day objection period, it shall be deemed to have waived any objection to such allocation and State Farm Lloyds

shall reissue the settlement checks according to Plaintiffs' proposed allocation, and the parties a proposed final judgment or joint stipulation of dismissal no later than March 31, 2016.

- If JES JOMEL LLC objects to Plaintiffs' proposed allocation of the settlement proceeds within the allowed thirty (30) day period, then the parties shall attend the mediation as set forth in the Court's December 15, 2016 Order. In that event, JES JOMEL LLC's counsel and its authorized representative shall also be required to attend the mediation.

SO ORDERED

SIGNED: , 2017



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE